

Report Date: July 28, 2009

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUL 30 2009

JAMES R. LARSEN, CLERK
DEPUTY

YAKIMA, WASHINGTON

Name of Offender: Phillip Rodriguez

Case Number: 2:06CR02097-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle

Date of Original Sentence: 10/26/2006

Type of Supervision: Supervised Release

Original Offense: Possession of a Firearm by a
Prohibited Person, 18 U.S.C. § 922(g)(1)

Date Supervision Commenced: 4/11/2008

Original Sentence: Prison - 27 Months; TSR - 36
Months

Date Supervision Expires: 4/10/2011

PETITIONING THE COURT

To modify the conditions of supervision as follows:

18. You shall participate in the home confinement program for 90 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, Court appearances, or other activities as preapproved by your supervising probation officer. You shall pay all or part of the costs of the program based upon your ability to pay.

CAUSE

On June 26, 2009, Mr. Rodriguez appeared in Toppenish Municipal Court and was convicted of first degree driving with license suspended, case number 20177. He was sentenced to 90 days in jail but was allowed to self-surrender within a month. On July 22, 2009, he appeared at the above-named court, and his charge was amended from first degree driving with license suspended to second degree driving with license suspended. The amended judgment also noted that the defendant could serve his 90-day jail sentence on home confinement, and that such time could run concurrent with any term of home confinement imposed by the U.S. Probation Office. The amended judgment was an agreed recommendation by all parties so that the defendant could maintain his job with the Yakama Nation Housing Authority. Mr. Rodriguez acknowledged his noncompliant behavior and stated he intends to take the proper steps in applying for the reinstatement of his driver's license.

Based on the above information, this officer recommends Mr. Rodriguez' conditions of supervision be modified as noted in this petition. Attached is a waiver signed by the defendant agreeing to the above modification.

Prob 12B

Re: Rodriguez, Phillip

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I declare under penalty of perjury that the foregoing is true and correct.


Executed on: July 28, 2009

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer *(for Hon. Fred Van Sledright)*
7/30/09
Date